

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DENNIS MORAN and MWW, PLLC,
Plaintiffs,

v.

MONITOR LIABILITY MANAGERS,
LLC, *et al.*,
Defendants.

Case No. C12-1656RSL

ORDER DENYING MOTION
FOR RECONSIDERATION

This matter comes before the Court on Defendants' "Motion to Reconsider the 12/7/12 Order Granting Plaintiffs' Motion to Remand" (Dkt. # 30). On December 7, 2012, the Court remanded this case to King County Superior Court based on the Court's findings that Plaintiffs did not voluntarily dismiss the nondiverse defendants, the Fogarty Defendants were not fraudulently joined, and removal was untimely. Defendants contend that the Court's decision misapprehended the law and evidence and constitutes manifest error.

Motions for reconsideration are disfavored in this district and will be granted only upon a "showing of manifest error in the prior ruling" or "new facts or legal authority which could not have been brought to [the Court's] attention earlier with reasonable diligence." CR 7(h)(1). Defendants have not met this burden. Contrary to Defendants' supposition, the Court considered the facts alleged in Plaintiff's First Amended Complaint and its previous decision in Kazia Digo, Inc. v. Smart Circle

1 International, LLC, 2012 WL 836233 (W.D. Wash. Mar. 12, 2012) in determining that
2 the Defendants were not fraudulently joined. Like the defendant in Kazia Digo,
3 Defendants misapply the law regarding a third party's role in situations of tortious
4 interference and attempt to blur the relationships involved in the present case. See
5 Kazia Digo, 2012 WL 836233, at *5. Defendants raise concerns that the Court
6 previously considered when it granted Plaintiffs' motion for remand. Defendants have
7 not shown manifest error or the existence of new facts or legal authority. The motion
8 for reconsideration is, therefore, DENIED.

9 DATED this 2nd day of January, 2013.

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12 Robert S. Lasnik
13 United States District Judge
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